

LB  
09/18/03  
Item # 27

AN ORDINANCE

**9 8 1 6 9**

**AUTHORIZING THE EXECUTION OF THE FIRST AMENDMENT AND FIRST RENEWAL OF THE NOVELTY AND SOUVENIR CONCESSION CONTRACT FOR THE MUNICIPAL AUDITORIUM BETWEEN THE CITY OF SAN ANTONIO AND RIVER CITY MERCHANDISING, THEREBY EXERCISING THE FIRST AVAILABLE TWO (2)-YEAR RENEWAL OPTION AND AMENDING THE PAYMENT TERMS OF THE ORIGINAL CONTRACT AUTHORIZED BY ORDINANCE NO. 94611, APPROVED ON SEPTEMBER 27, 2001, WHICH PROVIDES FOR PAYMENT TO THE CITY OF 58% OF ALL CONCESSIONAIRES' RECEIPTS AFTER TAXES GENERATED THEREUNDER, WITH PROJECTED COMMISSION REVENUE OF \$36,778 FOR THE TWO (2)-YEAR RENEWAL TERM.**

\* \* \* \* \*

**WHEREAS**, River City Merchandising has been a local business for over 20 years and has held contracts for Novelty and Souvenir Concessions at the Municipal Auditorium since October 1986; and

**WHEREAS**, most recently City Council authorized a two (2)-year contract with River City Merchandising by Ordinance No. 94611, passed on September 27, 2001, which provided for two (2) additional two (2)-year renewal options, subject to City Council approval; and

**WHEREAS**, the payment terms of the current contract require River City Merchandising to pay commissions to the City on or before the seventh (7<sup>th</sup>) day after each event and, if authorized, the proposed first amendment would require that commission payments be paid to the City on or before the tenth (10<sup>th</sup>) day of the month following the event, which would provide consistency with other Convention Facilities vendors; and

**WHEREAS**, by exercising this renewal of the contract the City is expected to earn approximately \$18,207 in FY 2004 and \$18,571 in FY 2005; **NOW THEREFORE:**

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SAN ANTONIO:**

**SECTION 1.** The terms and conditions of the First Amendment and First Renewal of the Novelty and Souvenir Concession Contract for the Municipal Auditorium between the City of San Antonio and River City Merchandising, whereby the City will exercise the first available two (2)-year renewal option and amend the payment terms of the original contract authorized by Ordinance No. 94611, approved on September 27, 2001, are hereby authorized and approved.

**SECTION 2.** The City Manager, or her designee, is authorized, for a sixty (60) day period following the effective date of this Ordinance, to execute the First Amendment and First Renewal of the Novelty and Souvenir Concession Contract for the Municipal Auditorium. A copy of said Amendment and Renewal previously executed by River City Merchandising is attached hereto and incorporated herein as Exhibit A.

**SECTION 3.** The revenue generated from the above contract shall be deposited in Fund 29-005, entitled "Miscellaneous Special Fund," Index Code 021543, entitled "Auditorium Novelty and Souvenir Concession."

**SECTION 4.** The Director of Finance may, subject to concurrence by the City Manager or the City Manager's designee, correct allocations to specific Index Codes and Fund Numbers as necessary to carry out the purposes of this Ordinance.

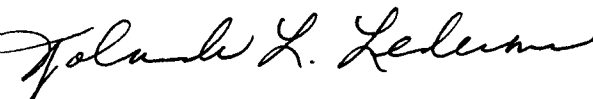
**SECTION 5.** This Ordinance shall be effective on and after the tenth day after passage hereof.

PASSED AND APPROVED this 18<sup>th</sup> day of September, 2003.




M A Y O R  
EDWARD D. GARZA

ATTEST:

  
City Clerk

APPROVED AS TO FORM:

  
for City Attorney